

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DELAQUAN D. HENDERSON,

Plaintiff,

Case No. 3:22-cv-228

vs.

CAPTAIN D. PARIN, *et al.*,

District Judge Michael J. Newman  
Magistrate Judge Caroline H. Gentry

Defendants.

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**ORDER: (1) DISMISSING THIS CASE WITH PREJUDICE; AND (2) TERMINATING  
THIS CASE ON THE DOCKET**

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This is a 42 U.S.C. § 1983 civil rights lawsuit filed *pro se*. Now pending before the Court, but not yet ripe, is a Report and Recommendation by United States Magistrate Judge Caroline H. Gentry, recommending that the case be dismissed on the merits. Doc. No. 11. Today, the Court held a telephone status call with counsel for both sides and the U.S. Marshal in an unrelated criminal case in which Plaintiff Henderson is being prosecuted by the United States Attorney's Office for the Southern District of Ohio. *See United States v. Henderson*, 3:22-cr-130 (S.D. Ohio Oct. 17, 2022). During that call, the public defender in that case, Tom Anderson, advised the Court that Mr. Henderson seeks to dismiss this civil rights case voluntarily and immediately. Given the assertion by Mr. Anderson, as an officer of the Court, the Court deems this case **VOLUNTARILY DISMISSED** and **CLOSED**. Thus, this case is **TERMINATED** on the docket.

**IT IS SO ORDERED.**

Date: February 2, 2023

/s Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge

CC: U.S. Marshal's Service for the Southern District of Ohio